

Docket No. 503.35443CC4  
AUG 24 2006 Serial No. 10/724,092  
August 24, 2006REMARKS

Subsequent to filing a Notice of Appeal in the above-identified application, Applicants are amending the claims on appeal, pursuant to 37 CFR 41.33. Specifically, Applicants are incorporating the subject matter of claims 4, 14 and 22 respectively into claims 1, 11 and 19; and, correspondingly, are canceling claims 4, 14 and 22 without prejudice or disclaimer. In addition, upon review of the presently pending claims, Applicants have also amended claim 7 to recite an elastic modulus of the adhesive "film", consistent with recitation of the adhesive "film" in claim 1; and have further amended claims 11 and 19 to correct typographical errors therein. Furthermore, Applicants have cancelled non-elected (withdrawn) claims 17, 18, 30 and 31 without prejudice or disclaimer, and in particular without prejudice to the filing of a Divisional application or applications directed to the subject matter thereof.

Noting that the present Amendment is being filed subsequent to filing of a Notice of Appeal in the above-identified application, and in response to a Final Office Action, it is respectfully requested that the present amendments be entered, notwithstanding finality of the aforementioned Office Action mailed January 24, 2006, and filing of the Notice of Appeal on July 24, 2006. Thus, note that the Examiner has indicated in the Office Action mailed January 24, 2006, that the subject matter of, inter alia, claims 4, 14 and 22 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By incorporating subject matter of claims 4, 14 and 22 respectively into claims 1, 11 and 19, the sole independent rejected claims in the application, it is respectfully submitted that claims 1, 11 and 19, as well as all claims dependent thereon, should now be allowed. Accordingly, it is respectfully submitted that the present amendments materially limit issues remaining in connection with the above-identified

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application, and, in fact, present all remaining claims in condition for allowance. Furthermore, by incorporating subject matter of claims previously objected to (without rejection thereof) into the independent claims, it is respectfully submitted the present amendments do not raise any new issues, including any issue of new matter. Noting indication of allowable subject matter in the Office Action mailed January 24, 2006, it is respectfully submitted that the present amendments are timely. Furthermore, it is respectfully submitted that present amendments to claim 7 are proper, in order to provide consistency between claim 7 and its parent claim 1, and it is respectfully submitted that such amendments are timely noting that it has only recently been perceived of the need to amend claim 7 for consistency with its parent claim. In addition, it is respectfully submitted that canceling of claims (that is, canceling of claims 4, 14 and 22, whose subject matter respectively has been incorporated into claims 1, 11 and 19, and of non-elected claims) is proper under 37 CFR 41.33 and 37 CFR 1.116(b)(1).

In view of the foregoing, it is respectfully submitted that Applicants have made the necessary showing under 37 CFR 41.33 and 37 CFR 1.116, such that entry of the present amendments is clearly proper.

The rejection of claims on prior art grounds on pages 2-7 of the Office Action mailed January 24, 2006, is noted. It is respectfully submitted that the prior art rejections are moot, in view of present amendments to independent claims 1, 11 and 19.

In view of the foregoing comments and amendments, entry of the present amendments, and reconsideration and allowance of all claims remaining in the above-identified application, with the above-identified application thereafter being passed to issue, are respectfully requested.

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Applicants request any shortage of fees due in connection with the filing of this paper be charged to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (case 503.35443CC4), and credit any excess fees paid to such Deposit Account.

Respectfully submitted,

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